SBCivil Writ Petition No.5693/2006

Ram Gopal Vyas
Vs.
State of Rajasthan & Ors.

Date of Order :: 6th October, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. A.K.Singh, for the petitioner.

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By this petition for writ a challenge is given to the order dated 16.9.2006 passed by the Director, DPEP, Sarva Shiksha Abhiyan, Nagaur whereby the petitioner is placed under suspension contemplating disciplinary proceedings. The allegation of the petitioner is that the order impugned is without jurisdiction as under Rule 13 of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958 the authority empowered to place a government servant under suspension is appointing authority or any authority to whom the appointing authority is subordinate or the authority empowered by the Government of Rajasthan to place the government servant under suspension.

The petitioner is an employee of the Department of Education and presently is on deputation with Sarva Shiksha Abhiyan. It is well settled that borrowing authorities or the borrower employer is competent to suspend a government officer on deputation working under it if the misconduct alleged

pertains to the services rendered with borrower employer. In view of it, I do not find any illegality in the order impugned.

The writ petition, therefore, is having no merit and the same, therefore, is dismissed.

(GOVIND MATHUR),J.

kkm/ps.